

AMENDED IN ASSEMBLY MAY 2, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 1457

Introduced by Assembly Member Baca

February 22, 2005

An act relating to state property.

LEGISLATIVE COUNSEL'S DIGEST

AB 1457, as amended, Baca. State property: transfer restrictions: City of San Bernardino.

In 1991, the State of California ~~quitclaimed~~ *through the Director of General Services conveyed* certain real property to the City of San Bernardino on the condition that it only be used for park purposes *in perpetuity* unless the Legislature, by specific act, permitted other use, sale, or disposition *of that property*. *The deed was recorded on January 15, 1992, and transferred to the city 9 specified parcels known as the Seccombe Lake Park within the County of San Bernardino.*

~~This bill would state that the Legislature by this bill removes that condition on the property.~~

This bill would authorize the City of San Bernardino to transfer the property to the Redevelopment Agency of the City of San Bernardino for sale for private development provided that specified conditions are met, including, among other things, that the proceeds of the sale be used for the acquisition of replacement park land within the City of San Bernardino.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. (a) The Legislature authorizes, pursuant to the*
2 *requirements of that certain quit claim deed to the City of San*
3 *Bernardino dated December 5, 1991, and recorded on January*
4 *15, 1992, as No. 92-016139, and also known as the Seccombe*
5 *Lake Park, the City of San Bernardino to transfer all or any*
6 *portion of the property so conveyed to the Redevelopment Agency*
7 *of the City of San Bernardino for sale for private development*
8 *purposes, provided that the sale meets all of the following the*
9 *conditions:*

10 *(1) The City of San Bernardino and the Redevelopment*
11 *Agency of the City of San Bernardino use all available means to*
12 *accomplish the acquisition of replacement park land within the*
13 *City of San Bernardino.*

14 *(2) The City of San Bernardino and the Redevelopment*
15 *Agency of the City of San Bernardino prepare a detailed land*
16 *plan showing which specific parcels of the property referred to in*
17 *this section will be sold and which properties elsewhere in the*
18 *City of San Bernardino will be acquired with the proceeds of the*
19 *sale as replacement park land.*

20 *(3) The land plan and the environmental review demonstrate*
21 *that there is no net loss in park acreage as a result of the*
22 *implementation of the plan. If the sale of property referred to in*
23 *this section and the acquisition of replacement park land as*
24 *authorized by paragraph (1) results in any net loss of park land*
25 *within the City of San Bernardino, the City of San Bernardino*
26 *shall acquire or dedicate additional park land within the City of*
27 *San Bernardino to compensate for that loss and shall dedicate in*
28 *perpetuity the additional land for park purposes.*

29 *(4) The City of San Bernardino conducts a public hearing*
30 *before the city council for the purpose of review of the land plan*
31 *and for taking public comment. The hearing shall be scheduled*
32 *for a specific time during a regularly scheduled meeting of the*
33 *city council and shall be separately noticed and publicized.*

34 *(5) The City of San Bernardino or the Redevelopment Agency*
35 *of the City of San Bernardino, prior to closing any real property*
36 *transactions with respect to any sales pursuant to the land plan,*
37 *shall submit an independent appraisal of the land to be sold and*
38 *the land to be acquired, to the Department of Parks and*

1 *Recreation for concurrence with state appraisal standards. This*
2 *appraisal shall be made available to the public.*

3 *(6) All land acquired or dedicated, including land previously*
4 *acquired by the state and transferred to the City of San*
5 *Bernardino, other than land identified for sale pursuant to the*
6 *land plan, shall be protected in perpetuity by recordation of*
7 *public park use restrictions at the time of purchase or dedication,*
8 *and, in the case of properties previously acquired from the state*
9 *that are intended to remain public park land, within 60 days after*
10 *approval of the land plan by the City of San Bernardino. The City*
11 *of San Bernardino shall not sell or acquire land pursuant to this*
12 *section unless and until the council approves the land plan*
13 *specified in paragraph (2).*

14 *(b) All transactions that occur pursuant to this section shall*
15 *comply with the California Environmental Quality Act (Division*
16 *13 (commencing with Section 21000) of the Public Resources*
17 *Code).*

18 ~~SECTION 1. (a) On December 5, 1991, the State of~~
19 ~~California conveyed real property to the City of San Bernardino~~
20 ~~by quit claim deed, subject to the express condition that the real~~
21 ~~property be operated, maintained, and improved by the city for~~
22 ~~park purposes in perpetuity and that no other use, sale, or~~
23 ~~disposition of the property shall be permitted except by specific~~
24 ~~act of the Legislature.~~

25 ~~(b) This statute constitutes the specific act of the Legislature~~
26 ~~referred to in the deed and by this statute the Legislature hereby~~
27 ~~removes that condition in the deed.~~